



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

December 7, 2004

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 1782

Mr. Shannon Peatross
Rock-It Stone Works
924 West Hicken Court
P. O. Box 538
Heber City, Utah 84032-0538

Subject: Failure to File an Appeal or to Pay Penalties for Cessation Order
MC-2004-03-01-02, Rock-It Stone Works, Strawberry River Quarry,
S/013/008, Duchesne County, Utah

Dear Mr. Peatross:

On September 10, 2004, the Division issued Cessation Order MC-2004-03-01-02, and both parts of this Cessation Order have now been abated and terminated. Proposed assessments were sent to you by certified mail on October 8, 2004, and these assessments were returned by the Postal Service as unclaimed. The last delivery attempt was October 24, 2004, and the Division received the returned packet on November 15, 2004.

On November 16, 2004, we faxed the assessments to you and resent them by regular mail. We also telephoned and informed you that either an appeal or payment would be due on November 23, 2004, 30 days from the last delivery attempt by the Postal Service. This is in accordance with rules R647-7-105 and R647-7-106. The deadline for appealing either the assessments or the fact of the cessation orders has now expired.

Payment of the penalties is now past due. Utah Code Annotated 40-8-9.1(4) states:

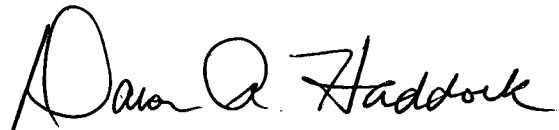
Shannon Peatross
Page 2 of 2
S/013/008
December 7, 2004

Civil penalties owed under this chapter may be recovered in a civil action brought by the attorney general of Utah at the request of the board in any appropriate district court of the state.

The Division will proceed with asking the Board of Oil, Gas and Mining to request that the attorney general recover the civil penalties in district court. We anticipate the Board may hear this issue in its February or March 2005 hearing. In the meantime, you can avoid this procedure and the possible court hearing by paying the fines which total \$3960.00.

If you have questions about this letter, please call me at 801-538-5325 or Paul Baker at 801-538-5261.

Sincerely,

A handwritten signature in black ink, appearing to read "Daron R. Haddock". The signature is fluid and cursive, with the first name "Daron" and last name "Haddock" clearly distinguishable.

Daron R. Haddock, Permit Supervisor
Minerals Regulatory Program
Division of Oil, Gas and Mining

DRH:PBB:jb
cc: Steve Alder
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DEPARTMENT OF NATURAL RESOURCES

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Page 1 of 1

VACATION / TERMINATION of Notice of Violation / Cessation Order

To the following Permittee or Operator:

Name: Rock-It Stone Works

Mailing Address: P. O. Box 538, Heber City, Utah 84032-0538

Mine Name: Strawberry River Quarry Permit Number: S/013/008

Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., *Utah Code Annotated (1953)*:

Notice of Violation No. _____ dated _____, 20 ____

Cessation Order No: MC-2004-03-01-02 dated September 10, 20 04

Part 2 of 2 is ☐ vacated ☒ terminated because: the required abatement was completed effective October 4, 2004.

Part ____ of ____ is ☐ vacated ☐ terminated because: _____

Part ____ of ____ is ☐ vacated ☐ terminated because: _____

Date of service/mailling: Oct 25, 2004 Time of service/mailling 3:30 ☐ a.m. ☒ p.m.

Shannon Peatross
Permittee or Operator Representative

Owner
Title

Signature

Paul B. Baker
Division of Oil, Gas & Mining Representative

Reclamation Biologist
Title

Paul B. Baker
Signature

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